

ID-2017-PCT-US:JMD:135489

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
) Before the Examiner
Mark G. LUEHRMANN, et al.)
)
Serial No. 09/856,745)
) Group Art Unit
Filed (date to be determined))
) September 18, 2001
CONNECTING RODE WITH)
PROFILED BORE FOR)
INCREASED LOAD CAPABILITY)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

September 18, 2001

(Date of Deposit)

James M. Durlacher

Name of Registered Representative

James M. Durlacher
Signature

September 18, 2001

Date of Signature

RESPONSE TO NOTIFICATION OF
A DEFECTIVE OATH OR DECLARATION

Commissioner for Patents, **Box PCT**
Washington, D.C. 20231

Sir:

With reference to the Notification of a Defective Oath or Declaration received for the above application (copy enclosed), in particular item 4, Applicants submit herewith a newly executed Declaration and Power of Attorney by inventor, Mark G. Luehrmann, which indicates his citizenship to be that of the United States. Although it is not clear from the Notification received from the PTO, it is believed that this is the only inventor for whom citizenship was not identified. That omission has now been corrected.

With further reference to item No. 1 of the Notice, the undersigned attorney believes that the prior Oath or Declaration was in fact executed in accordance with 37 CFR 1.66 or 37 CFR

1.68. In particular, §1.68 requires the following:

Any document to be filed with the Patent and Trademark Office and which is required by any law, rule, or other regulation to be under oath may be subscribed to by a written declaration. Such declaration may be used in lieu of the oath otherwise required, if, and only if, the declarant is on the same document, warned that willful false statements and the like are punishable by fine or imprisonment,

or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. The declarant must set forth in the body of the declaration that all statements made of the declarant's own knowledge are true and that all statements made on information and belief are believed to be true.

It is brought to the attention of the Patent and Trademark Office that this language is present on the Declaration on page 2 directly above the information for the first inventor, Mr. Luehrmann. This objection is respectfully requested to be dismissed.

The undersigned believes that all requirements of the Patent and Trademark Office have been met and that the application is in condition for issuance of the official Filing Receipt.

In addition, please provide any further extensions of time which are required or charge any additional fees which are required Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By James M. Durlacher
James M. Durlacher, Reg. No. 28,840
Woodard, Emhardt, Naughton, Moriarty
& McNett
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

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WENMM/SB/21 (12/00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/856,745
Filing Date May 25, 2001
First Named Inventor LUEHRMANN, Mark G.
Group Art Unit
Examiner Name

Total Number of Pages in this Submission

9

Attorney Docket Number 8016-547

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Notification of a Defective Oath or Declaration; Declaration for Utility or Design Patent Application (37CFR1.63)
<input type="checkbox"/> Information Disclosure Statement, PTO form 1449; & copies of cited references	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name James M. Durlacher
Woodard, Emhardt, Naughton, Moriarty & McNett
Signature *James M. Durlacher*
Date September 18, 2001

Certificate of Mailing

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Typed or printed name James M. Durlacher, Reg. No. 28,840

Signature *James M. Durlacher*

Date

September 18, 2001